

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS - EASTERN DIVISION**

HEE YOO SHIN (A 96 141 185) AND
IN SANG CHO (A 95 911 314)

Plaintiff,

v.

MICHAEL CHERTOFF, SECRETARY OF U.S.
DEPARTMENT OF HOMELAND SECURITY,
DONALD FERGUSON, UNITED STATES
CITIZENSHIP & IMMIGRATION SERVICE,
CHICAGO DISTRICT DIRECTOR, MICHAEL
B. MUKASEY, U.S. ATTORNEY GENERAL,
AND THE UNITED STATES OF AMERICA,

Defendants.

No.

FILED: April 01, 2008

08CV1870 AEE

JUDGE GUZMAN

MAGISTRATE JUDGE VALDEZ

COMPLAINT FOR WRIT OF MANDAMUS

NOW COMES the Plaintiffs, HEE YOO SHIN (“Shin”) and IN SANG CHO (“Cho”) (collectively “Plaintiffs”), by and through their attorneys, the AzulaySeiden Law Group, and complains as follows:

INTRODUCTION

1. This action is brought to compel action on Plaintiffs’ properly Application for Lawful Permanent Resident Status (“Form I-485”) with the United States Citizenship & Immigration Services (“USCIS” or “the Service”) in Chicago, Illinois. To Plaintiffs’ detriment, Defendants have failed to adjudicate the application.

PARTIES

2. Plaintiffs are husband and wife and natives and citizens of South Korea. Cho entered the United States in May 2001 on a valid visitor visa. Shin entered the United States in August of 1992 on a valid visitor visa.

3. On May 28, 2002, Shin filed an Immigrant Petition for Alien Worker (“Form I-140”) which was approved by the Service on November 30, 2002. The I-140 Approval had a priority date of February 13, 2001. On December 23, 2002, Plaintiffs filed their respective Applications to Adjust to Permanent Resident Status (“Form I-485”), which remain pending with United States Citizenship and Immigration Service (“USCIS”).

4. Defendant Michael Chertoff (“Chertoff”), the Secretary for the Department of Homeland Security (“DHS”), is being sued in his official capacity only. Chertoff is responsible for the adjudication of Plaintiffs’ applications pursuant to 8 U.S.C. §1225.

5. Defendant Donald Ferguson (“Ferguson”), the District Director of Chicago USCIS, is being sued in his official capacity only. Ferguson is charged with supervisory authority over all of Chicago USCIS operations and USCIS agents and officers acting in their official capacity.

6. Defendant, Michael B. Mukasey (“Mukasey”), is the Attorney General of the United States and is being sued in his official capacity only. Mukasey is responsible for the adjudication of Plaintiffs’ applications pursuant to 8 U.S.C. §1225.

JURISDICTION

7. This Court has original jurisdiction to hear both civil actions arising under the laws of the United States and actions to compel an officer or employee of the United States or any agency thereof to perform a duty. 28 U.S.C. §1331; 28 U.S.C. §1361. This Court also has jurisdiction to grant declaratory relief pursuant to 28 U.S.C. §§2201-2202. Relief is requested pursuant to said statutes.

8. This action is brought to compel the Defendants, officers and an agency of the United States, to perform the duties arising under the law of the United States.

9. This Court has jurisdiction to hear actions arising from claims that an agency or an officer or employee of a government agency failed to act in its official capacity and the person to whom the duty owed suffered a legal wrong. 5 U.S.C. §702.

10. This action invokes Plaintiffs' right of due process under the Fifth Amendment of the United States Constitution, over which this Court retains jurisdiction. 28 U.S.C. §1331.

11. Federal courts retain jurisdiction over adjudication matters when the INS (now USCIS) refuses to adjudicate their applications. *Iddir v. INS*, 166 F.Supp.2d 1250, 1260 (N.D. Ill. 2001).

12. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA") does not divest this Court of jurisdiction because Plaintiffs are not seeking a review of a denial; they are seeking to have their application adjudicated, which is among the duties conferred upon the Defendants by Congress. *Id.* at 1256.

VENUE

13. Venue is proper in this court pursuant to 28 USC §1391(e), in that this is an action against officers and agencies of the United States in their official capacities, brought in the district where a Defendant resides and where a substantial part of the events or omissions giving rise to Plaintiffs' claims occurred.

14. Plaintiffs' Forms I-485 were properly filed and, to Plaintiffs' knowledge, remain pending with the Chicago USCIS District Director.

EXHAUSTION OF REMEDIES

15. Plaintiffs have exhausted all administrative remedies. Plaintiffs have made numerous inquiries concerning the status of their application and Defendants have failed to properly respond.

CAUSE OF ACTION

16. Plaintiffs are husband and wife and natives and citizens of South Korea. Cho's entered the United States in May 2001 on a valid visitor visa. Shin entered the United States in August of 1992 on a valid visitor visa. **See Exhibit 1.**

17. On May 28, 2002, Shin filed an Immigrant Petition for Alien Worker ("Form I-140") which was approved by the Service on November 30, 2002. The priority date for that petition is February 13, 2001. On December 23, 2002, Plaintiffs filed their respective Form I-485 Applications, which remain pending with USCIS. **See Exhibit 2.**

18. Plaintiffs have already appeared at the USCIS District Office in Chicago pursuant to their respective fingerprint notification appointments.

19. On May 26, 2005, Plaintiffs appeared for their initial interview at the USCIS District Office in Chicago in regards to the adjudication of Forms I-485. **See Exhibit 3.**

20. At the interview, the Adjudications Officer issued a Request for Evidence in regards to the Form I-485 and a response was timely submitted by Plaintiffs' attorney on June 6, 2005. **See Exhibit 4.**

21. Over the past several years, Plaintiffs, individually and through their attorneys, have contacted USCIS and its various adjudicating officers and supervisors by telephone inquiries, letters and infopass appointments.

22. On July 5, 2006, Plaintiffs, through their attorneys, attended an INFOPASS appointment at USCIS requesting status on the adjudication of Plaintiffs' Forms I-485. The first written correspondence from USCIS with the status of the Plaintiffs' Form I-485 occurred on October 6, 2006 in response to Plaintiffs' attorneys inquiry of July 5, 2006. **See Exhibit 5.** At

that time, USCIS advised only that Shin is under further review and the benefit sought is being examined.

23. On October 4, 2006, prior to USCIS' October 6, 2006 correspondence, Plaintiffs' attorneys again contacted USCIS via the National Customer Service hotline to determine the status of the adjudication of the Applications. A written response was given on October 18, 2006, advising that USCIS had to perform "additional review" which caused a longer processing time. **See Exhibit 6.** Plaintiffs were advised to follow-up within six months if no decision had been made.

24. On May 21, 2007, Plaintiffs' attorney attended another Info Pass appointment at the USCIS District Office in Chicago and were advised that the Plaintiffs' matter is still under investigation for "confidential reasons".

25. On October 30, 2007, Plaintiffs, through their attorney, sent correspondence to USCIS care of Officer Blackwood requesting a status of their Forms I-485 as they had been pending for almost five (5) years and more than one (1) year since the last status report from USCIS. **See Exhibit 7.**

26. To date, no response from USCIS has been forthcoming. USCIS has not identified anything specific that was lacking from the Plaintiffs' Forms I-485 or any other obligations that Plaintiffs failed to perform. Instead, Plaintiffs' applications have been pending for over five (5) years with countless inquires being made for the status and adjudication of same with little to no information forthcoming from the Defendants.

27. Plaintiffs have been greatly damaged by the failure of the Defendants to act in accord with their duties under law. Plaintiffs have a meritorious application which cannot be adjudicated because of Defendants' refusal to do so.

28. The Defendants delay in the processing of Plaintiffs' application has further deprived them of their right to due process under the law as provided by the Fifth Amendment of the United States Constitution.

29. The Defendants, in violation of the Administrative Procedure Act, 5 U.S.C. §701 *et seq.* are unlawfully withholding and unreasonably delaying action on Plaintiffs' application and have subsequently failed to carry out the adjudicative functions delegated to them by law with regard to Plaintiffs' case.

30. Plaintiffs have made numerous status inquiries in the attempt to secure adjudication of their applications, to no avail. Accordingly, Plaintiffs have been forced to pursue the instant action.

PRAYER

WHEREFORE, Shin requests that this Honorable Court enter an order:

- (a) Requiring Defendants to adjudicate Plaintiffs' Applications for Lawful Permanent Resident Status (Form I-485);
- (b) Awarding Plaintiffs reasonable attorney's fees pursuant to 28 U.S.C. §2412 for failure of the Defendants to perform their duties within a reasonable amount of time; and
- (c) Granting such other relief at law and in equity as justice may so require.

Respectfully submitted,

s/SHANNON M. SHEPHERD
Shannon M. Shepherd
AzulaySeiden Law Group
Attorneys for Plaintiff
205 North Michigan Ave., 40th Floor
Chicago, IL 60601
(312) 832-9200
Attorney #6280271

NOTICE OF FILING

TO:

US Attorney General
Michael B. Mukasey
950 Pennsylvania Ave., NW
Washington, D.C. 20530
Via Certified Mail

District Director, USCIS
Donald Ferguson
101 West Congress Pkwy.
Chicago, IL 60605
Via Certified Mail

United States Attorney
219 South Dearborn, 5th Fl.
Chicago, IL 60604
Via Certified Mail

Office of General Counsel
Michael Chertoff
U.S. Dept. of Homeland Security
Washington, D.C. 20528
Via Certified Mail

PLEASE TAKE NOTICE that on April 1, 2008, Plaintiff electronically filed with the United States District Court for the Northern District of Illinois, her Complaint for Writ of Mandamus.

s/SHANNON M .SHEPHERD
Shannon M. Shepherd
AzulaySeiden Law Group
Attorneys for Plaintiff
205 North Michigan Ave., 40th Floor
Chicago, IL 60601
(312) 832-9200
#6280271

사증
VISA
NO. 073878
THE UNITED STATES
OF AMERICA
NON-IMMIGRANT VISA
1991
29 JUN 1998
BEARER
129

Departure Number
439322061 03
Immigration & Naturalization Service
CHICAGO, ILLINOIS-580
ADMITTED

AUG 18 1992
Immigration and
Naturalization Service
I-94
Departure Record (출발기록)
CLASS
TO
B-2
FEB 17 1993

14. 성(姓)
S.H.I.N.
15. 이름
H.E.E. YOO
16. 생일(일/월/년)
5-2-10-40-1
17. 국적
K.O.R.E.A

뒷쪽을 보시오. **KOREAN AIR** STAPLE HERE





U.S. Department of Justice
Immigration and Naturalization Service

Notice of Action

UNITED STATES OF AMERICA			
RECEIPT NUMBER LIN-02-195-51559		CASE TYPE I-140	
RECEIPT DATE May 28, 2002		PRIORITY DATE February 13, 2001	
NOTICE DATE November 30, 2002		PAGE 1 of 1	
PETITIONER APPLE JEWELRY		BENEFICIARY SHIN, HEE YOO	
SUSAN YOO AZULAY HORN, KHALAF & YOO ONE E WACKER DR 2700 CHICAGO IL 60601		Notice Type: Approval Notice Section: Skilled Worker or Professional, Sec. 203(b)(3)(A)(i) or (ii)	
<p>The above petition has been approved. The petition indicates that the person for whom you are petitioning is in the United States and will apply for adjustment of status. He or she should contact the local INS office to obtain Form I-485, Application for Permanent Residence. A copy of this notice should be submitted with the application, with appropriate fee, to this Service Center. Additional information about eligibility for adjustment of status may be obtained from the local INS office serving the area where he or she lives, or by calling 1-800-375-5283.</p> <p>If the person for whom you are petitioning decides to apply for a visa outside the United States based on this petition, the petitioner should file Form I-824, Application for Action on an Approved Application or Petition, with this office to request that we send the petition to the Department of State National Visa Center (NVC).</p> <p>The NVC processes all approved immigrant visa petitions that require consular action. The NVC also determines which consular post is the appropriate consulate to complete visa processing. It will then forward the approved petition to that consulate.</p> <p>THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.</p>			

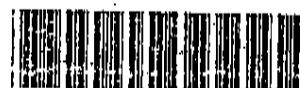
Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER
U. S. IMMIG. & NATZ. SERVICE

P.O. BOX 93521

LINCOLN, NE 68501-2521

Customer Service Telephone: 402-323-7830



EXHIBIT

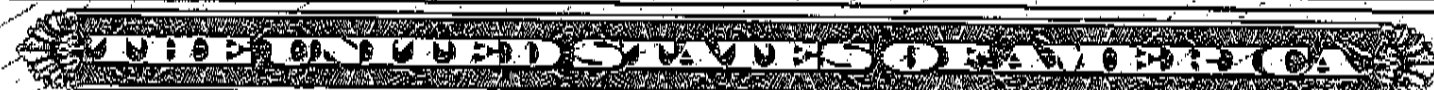
2

U.S. Department of Justice
Immigration and Naturalization Service

Case 1:08-cv-01870 Document 1-2 Filed 04/01/2008

Page 7 of 14

Notice of Action



RECEIPT NUMBER LIN-03-076-50063		CASE TYPE I-485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE December 23, 2002	PRIORITY DATE	APPLICANT A96 141 185 SHIN, HEE YOO
NOTICE DATE January 7, 2003	PAGE 1 of 1	

SUSAN S. YOO
AZULAY HORN KHALAF & YOO
ONE E WACKER DR 2700
CHICAGO IL 60601

Notice Type: Receipt Notice

Amount received: \$ 1305.00

Section: Adjustant as direct
beneficiary of immigrant
petition

The above application or petition has been received. It usually takes 450 to 480 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect.

We will send you a written notice as soon as we make a decision on this case. You can also use the phone number 402-323-7830 to obtain case status information directly from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this notice).

If you have other questions about possible immigration benefits and services, filing information, or Immigration and Naturalization Service forms, please call the INS National Customer Service Center (NCSC) at 1-800-375-5283. If you are hearing impaired, please call our TDD at 1-800-767-1833.

If you have access to the Internet, you can also visit the INS at www.ins.usdoj.gov. Here you can find valuable information about forms and filing instructions, and about general immigration services and benefits. At present, this site does not provide case status information.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER
U. S. IMMIG. & NATZ. SERVICE
P.O. BOX 82521
LINCOLN NE 68501-2521
Customer Service Telephone: 402-323-7830



U.S. Department of Justice
Immigration and Naturalization Service

Case 1:08-cv-01870 Document 1-2 Filed 04/01/2008

Page 8 of 14

Notice of Action

UNITED STATES DEPARTMENT OF JUSTICE

RECEIPT NUMBER LIN-03-076-50089		CASE TYPE I485 / APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE December 23, 2002	PRIORITY DATE	APPLICANT A95 911 314 CHO, IN SANG
NOTICE DATE January 7, 2003	PAGE 1 of 1	

SUSAN S. YOO
AZULAY HORN KHALAF & YOO
ONE E WACKER DR 2700
CHICAGO IL 60601

Notice Type: Receipt Notice

Amount received: \$ 1305.00

Section: Derivative adjustment

The above application or petition has been received. It usually takes 450 to 480 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect.

We will send you a written notice as soon as we make a decision on this case. You can also use the phone number 402-323-7830 to obtain case status information directly from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this receipt).

If you have other questions about possible immigration benefits and services, filing information, or Immigration and Naturalization Service forms, please call the INS National Customer Service Center (NCSC) at 1-800-375-5283. If you are hearing impaired, please call our TDD at 1-800-767-1833.

If you have access to the Internet, you can also visit the INS at www.ins.usdoj.gov. Here you can find valuable information about forms and filing instructions, and about general immigration services and benefits. At present, this site does not provide case status information.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER
U. S. IMMIG. & NATZ. SERVICE
P.O. BOX 82521
LINCOLN NE 68501-2521
Customer Service Telephone: 402-323-7830

FROM : ELGIN

Case 1:08-cv-01870

Document 1-2

Filed 04/01/2008

Page 9 of 14

FAX NO. : 18474299360

Apr. 10 2005 02:35PM P1

ATT: Vangre

2-1

Fax: 312-832-9212

U.S. Department of Homeland Security
10 West Jackson Boulevard
Chicago, IL 60604



U.S. Citizenship
and Immigration
Services

HEE YOO SHIN
5342 N. KEDZIE AVE., APT. 9
CHICAGO, IL 60625

Date: March 31, 2005
File Number: 96141185

Appointment Notice

You are scheduled for an interview regarding your I-485 Application to Adjust Status to that of a lawful permanent resident. Please appear with your petitioner on 5/26/2005 at 8:10:00 AM. Your local USCIS office is located at: 230 S. Dearborn Street, 2nd Floor, Chicago, Illinois.

PLEASE READ THE INSTRUCTIONS BELOW:

**IF YOU DO NOT SPEAK ENGLISH PLEASE BRING AN ADULT TRANSLATOR
(FAMILY MEMBERS AND ATTORNEYS ARE NOT ACCEPTABLE TRANSLATORS)**

YOU MUST BRING ORIGINALS AND COPIES OF THE FOLLOWING DOCUMENTS:

- MEDICAL EXAMINATION FORM I-693 IN A SEALED ENVELOPE
- AFFIDAVIT OF SUPPORT FORM I-864 WITH YOUR TAX RETURNS FOR THE LAST 3 YEARS, W-2's and current job letter).
- CERTIFIED COURT DISPOSITIONS (for ALL arrests, no matter how long ago the arrest occurred)
- 2 Color ADIT-Style photographs
- Photo Identification for yourself and your petitioner.
- Your employment authorization card I-766
- English translations of any foreign documents (Use certified translators only)
- Proof of legal entry into the United States, passport and/or proof of payment of I-485 Supplement A.
- Birth certificates for beneficiary, petitioner and ALL children
- Marriage certificates (If married previously, proof of termination of ALL previous marriages)
- If applying based on marriage to a U.S. citizen or lawful permanent resident:
 - Wedding or family photos
 - Proof of joint residence (i.e., mortgages, leases, and utility bills)
 - Proof of joint credit and joint purchases
 - Bank statements and credit card statements
 - Proof of medical, dental, and life insurance

Failure to appear for the scheduled interview will be deemed an abandonment of the application and will result in a denial of the application pursuant to 8 CFR 103.2(b)(13).

Sincerely,

Michael M. Comfort
District Director

SUSAN S. YOO
ONE EAST WACKER DR., STE. 2700
CHICAGO, IL 60601

Examiner: 14

For Questions and Concerns Contact: Website: www.uscis.gov, Telephone: 1-800-375-5283, TTY: 312-3

EXHIBIT

3



DEPARTMENT OF HOMELAND SECURITY

U. S. Citizenship and Immigration Service
Chicago District Office

STATUS INQUIRY FORM

DATE: JULY 5, 2006**CORRESPONDENCE DETAILS****On Behalf of (Applicant):**A Number: 95-911-314

Name: CHO IN SANG
Last First Middle

Mailing Address: 5342 N. KEDZIE. Apt # 9City: CHICAGO State: IL Zip Code: 60625Daytime Phone Number: 773-478-8928Country of Birth: S. KOREA Date of Birth: 5/7/37

☐ Check box if author is same as applicant
(DO NOT complete the following if box is checked)

Type of inquiry:

☐ Applicant ☒ Attorney ☐ CBO

Name: AZULAY JUDD
Last First Middle

Firm / Organization: AZULAY, HORN & SEIDEN, LLCMailing Address: 205 N. MICHIGAN AVE.Suite # or Apt. #: 40th. FLOORCity: CHICAGO State: IL Zip Code 60601Phone No.: 312-832-9200**CORRESPONDENCE INFORMATION**

☐ Check if telephonic inquiry

Class: GENERAL Request Type (check all that apply): ☐ Address Change ☒ General ☐ Received Documents

Type of Application (check one): ☒ Adjustment of Status ☐ Citizenship

FORM FILED (check boxes below that apply):

DATE APPLICATION FILED: 12-23-2002

☐ I-130 ☒ I-485 ☐ I-751 ☐ I-765 ☐ I-824

☐ N-336 ☐ N-400 ☐ N-565 ☐ N-600 ☐ N-643 ☐ Other: _____

REQUEST RESCHEDULE FOR (check one): ☐ Interview ☐ Oath ☐ Fingerprinting

Additional Comments: PLEASE EXPEDITE I-485 PROCESSING.

*** INQUIRIES MAY BE MADE BY APPLICANTS, BENEFICIARIES, ATTORNEYS, AND ACCREDITED REPRESENTATIVES ONLY. IF YOU ARE AN ATTORNEY, A FORM G-28 MUST BE ATTACHED.

*** CBOs MUST INCLUDE A PRIVACY RELEASE SIGNATURE FROM THE APPLICANT:

Signature: X

Date: _____

*** MAIL INQUIRIES TO: USCIS, CUSTOMER SERVICE, P.O. BOX 3616, CHICAGO, IL 60690

CU Revised 08/14/03





DEPARTMENT OF HOMELAND SECURITY

U. S. Citizenship and Immigration Service
Chicago District Office

STATUS INQUIRY FORM

DATE: JULY 5, 2006

CORRESPONDENCE DETAILS

On Behalf of (Applicant):

A Number: 96-141-185

Name: SHIN HEE YOO
Last First Middle

Mailing Address: 5342 N. KEDZIE Apt # 9

City: CHICAGO State: IL Zip Code: 60625

Daytime Phone Number: 773-478-8928

Country of Birth: S. KOREA Date of Birth: 4/1/52

☐ Check box if author is same as applicant
(DO NOT complete the following if box is checked)

Type of inquiry:

☐ Applicant ☒ Attorney ☐ CBO

Name: AZULAY JUDD
Last First Middle

Firm / Organization: AZULAY, HORN & SEIDEN, LLC

Mailing Address: 205 N. MICHIGAN AVE.

Suite # or Apt. #: 40th. FLOOR

City: CHICAGO State: IL Zip Code: 60601

Phone No.: 312-832-9200

CORRESPONDENCE INFORMATION

☐ Check if telephonic inquiry

Class: GENERAL Request Type (check all that apply): ☐ Address Change ☒ General ☐ Received Documents

Type of Application (check one): ☒ Adjustment of Status ☐ Citizenship

FORM FILED (check boxes below that apply):

☐ I-130 ☒ I-485 ☐ I-751 ☐ I-765 ☐ I-824

☐ N-336 ☐ N-400 ☐ N-565 ☐ N-600 ☐ N-643 ☐ Other: _____

REQUEST RESCHEDULE FOR (check one): ☐ Interview ☐ Oath ☐ Fingerprinting

Additional Comments: PLEASE EXPEDITE I-485 PROCESSING

*** INQUIRIES MAY BE MADE BY APPLICANTS, BENEFICIARIES, ATTORNEYS, AND ACCREDITED REPRESENTATIVES ONLY. IF YOU ARE AN ATTORNEY, A FORM G-28 MUST BE ATTACHED.

*** CBOs MUST INCLUDE A PRIVACY RELEASE SIGNATURE FROM THE APPLICANT:

Signature: X [Signature]

Date: 7/9/06

*** MAIL INQUIRIES TO: USCIS, CUSTOMER SERVICE, P.O. BOX 3616, CHICAGO, IL 60690

CU Revised 08/14/03



U.S. Citizenship
and Immigration
Services

October 6, 2006

Y. Judd Azulay
Azulay, Horn & Seiden, LLC
205 North Michigan Avenue, #40th Floor
Chicago, IL 60601

RE: A95 141 185 – Shin, Hee Yoo

Dear Attorney Azulay:

This letter is in response to your inquiry dated July 05, 2006. . Our records indicate that Hee Yoo Shin is under further review by the adjudicating officer. All evidence submitted by your client in support of the application and/or petition for the immigration benefit being sought is being examined.

Cases may require additional review for a variety of reasons. When it is in the interest of upholding the United States immigration laws both in terms of enforcement and rights to privacy, that information may not be disclosed. It is difficult to predict with accuracy when this review will be completed. Every effort is being made to render an accurate and final decision in a timely manner. We ask that your constituent allow at least 90 days for a response before inquiring again.

We thank you your understanding and patience in this matter.

Sincerely,

Ruth A. Dorochoff
District Director

RAD: tak



U.S. Department of Homeland Security
USCIS
101 West Congress Parkway
Chicago, IL 60605



**U.S. Citizenship
and Immigration
Services**

Wednesday, October 18, 2006

AHEE YOO SHIN
205 NORTH MICHIGAN AVENUE
40TH FLOOR
CHICAGO IL 60601

Dear AHEE YOO SHIN:

On 10/04/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:	A Paralegal or Other Employee of the Attorney of Record
Attorney Name:	CHOI COON
Case type:	I485
Filing date:	Information not available
Receipt #:	LIN-03-076-50063
Beneficiary (if you filed for someone else):	SHIN, AHEE YOO
Your USCIS Account Number (A-number):	Information not available
Type of service requested:	Case Status - Outside Processing Time

The status of this service request is:

Based on your request we researched the status of this case. We are actively processing this case. However, we have to perform additional review on this case and this has caused a longer processing time. If you do not receive a decision or other notice of action from us within 6 months of this letter, please call customer service at the number provided below.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services
cc: CHOI COON



LAW OFFICES OF
AZULAY, HORN & SEIDEN, LLC205 North Michigan Avenue
40th Floor
Chicago, Illinois 60601ph. 312.832.9200
fx. 312.832.9212
www.ahslaw.comFROM THE DESK OF:
Ellen Kassis
312.832.9200 x129
ekassis@ahslaw.com

October 30, 2007

US Citizenship and Immigration Services
101 W Congress Parkway
Chicago, IL 60605
Attn: Mr. Blackwood

Re: Immigration Matters of Hee Yoo Shin and In Sang Cho
Application: I-485 Adjustment of Status
Petitioner: Apple Jewelry
Beneficiary: Hee Yoo Shin
Derivative Spouse: In Sang Cho

2007 NOV -5 P 2:28
RECEIVED
USCIS
CHICAGO, ILLINOIS

Dear Mr. Blackwood:

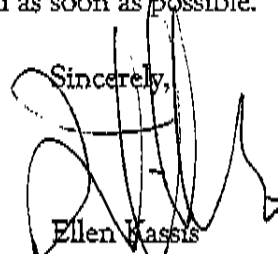
We represent the above named petitioner, beneficiary, and derivative spouse in their immigration matters.

We are writing to inquire about the status of Ms. Shin's and Mr. Cho's Adjustment of Status applications, which have been pending since December 23, 2002.

Over the past several years, we have pursued adjudication for our clients' applications through a series of phone inquiries, letters, and infopass appointments. The most recent response from your department, dated October 6, 2006, indicated that our clients' applications were still "under further review by the adjudicating officer." A year has elapsed since this correspondence, and we still have not received any news or a decision concerning this case.

To date, our clients have been waiting for almost five years. Therefore, we request that these applications be adjudicated and a decision rendered as soon as possible.

Sincerely,


Ellen Kassis
Azulay, Horn & Seiden, LLCEK/mk/Encl.
Our File No.: 101-90254
cc: Y. Judd Azulay